

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

PETRA S. MORENO,

Plaintiff,

v.

KILOLO KIJAKAZI, *Acting Commissioner
of Social Security*,

Defendant.

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1:21-CV-814-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Ronald D. Honig’s (“Honig”) (Attorney for Plaintiff Petra S. Moreno (“Plaintiff”)) Petition to Obtain Approval of a Fee for Representing a Social Security Claimant, (Dkt. 21). (R. & R., Dkt. 23). Pursuant to 28 U.S.C. § 636(b) and Rule 1(d) of Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Howell issued his report and recommendation on February 28, 2024. (*Id.*). As of the date of this order, no party has filed objections to the report and recommendation.

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). When no objections are timely filed, a district court can review the magistrate’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”).

Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 23), is **ADOPTED**.

IT IS FURTHER ORDERED that the Petition to Obtain Approval of a Fee for Representing a Social Security Claimant, (Dkt. 21), is **GRANTED**.

IT IS FURTHER ORDERED that Ronald D. Honig (Attorney for Plaintiff Petra S. Moreno) is **AWARDED** \$18,576.25 in attorney's fees out of Plaintiff's past-due benefits under 42 U.S.C. § 406(b). The award of attorney's fees in this case should be made payable directly to Honig and mailed to him by Defendant.

IT IS FINALLY ORDERED that Honig return to Plaintiff the sum of \$4,803.82 previously awarded to him under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

SIGNED on March 20, 2024.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE